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General and complete disarmament

Conventional arms control at the regional and subregional levels

Report of the Secretary-General

Contents

		Page
I.	Introduction	2
II.	Replies received from Member States	2
	Bangladesh	2
	Bolivia	2
	Germany	3
	Greece	4
	Guatemala	6
	Hungary	7
	Jamaica	8
	Mexico	9
	Nicaragua	9
	Panama	10
	Serbia	10
	Spain	11

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I. Introduction

1. In its resolution 61/82 of 6 December 2006, entitled "Conventional arms control at the regional and subregional levels", the General Assembly, convinced that conventional arms control needed to be pursued primarily in the regional and subregional contexts, since most threats to peace and security in the post-cold-war era arose mainly among States located in the same region or subregion, decided to give urgent consideration to the issues involved in conventional arms control at the regional and subregional levels and requested the Secretary-General to seek the views of Member States on the subject and to submit a report to it at its sixty-second session.

2. Pursuant to that request, a note verbale, dated 30 January 2007, was sent to Member States requesting their views on the subject. To date, replies have been received from the following States: Bangladesh, Germany, Greece, Guatemala, Hungary, Jamaica, Mexico, Nicaragua, Panama, Serbia and Spain. These replies are reproduced in section II below. Additional replies received will be issued as addenda to the present report.

II. Replies received from Member States

Bangladesh

[Original: English]
[31 May 2007]

a. United Nations arms control principles should provide guidelines so as to devise arms control measures for stabilizing specific crisis situations in the regional context.

b. These principles should focus on developing transparency, consultation and cooperation between States in a region.

c. These principles should address the formulation of a regional register, which in other ways will strengthen the United Nations register. They should focus on developing a modest regional register.

d. These principles should aim at gaining mutual, bilateral confidence between States within the region.

Conventional arms control at the regional and subregional levels, however, may not prove very useful in a region where nuclear and conventional arms States are neighbours.

Bolivia

[Original: Spanish]
[25 June 2007]

The black market in small arms is supplied primarily through the diversion of arms shipments before they reach their final destination. Existing instruments should be implemented to support the establishment of a United Nations arms

control centre with responsibility for verifying compliance, by recipients and suppliers, with documentation requirements for import and export authorizations and for permits from transit States. This initiative should cover arms, ammunition and explosives, and emphasis should be placed on preventing the diversion of arms in transit, as all such arms become part of illicit trafficking flows.

Such a control centre should centralize all relevant information, since many arms transfers are intercontinental. The appropriate national authority of each State should be given the task of establishing a dedicated division with the express mandate of verifying compliance with documentation requirements and verifying the exit, arrival and transit of arms shipments from, to or through the national territory, providing constantly updated information and reporting it immediately after the operation in question has taken place.

Effectiveness can be ensured through the simultaneous establishment of regional and subregional centres with responsibility for similar tasks in respect of transactions that take place within the geographical boundaries of their jurisdictions. This will facilitate and improve the viability, timeliness and effectiveness of controls to prevent arms shipments from being diverted.

While this system would not prevent all diversions of arms shipments to the black market, it would considerably reduce such activities and could also serve as a means of timely intervention to foil attempts to divert international arms shipments.

Germany

[Original: English]
[18 April 2007]

Germany considers conventional arms control at the regional and subregional levels as an essential element for relieving international tension that can thus be an important contribution to worldwide conflict prevention. In addition, they often contribute to post-conflict stabilization and rehabilitation. Concrete measures for arms control at the regional and subregional levels should follow a cooperative and comprehensive approach to security.

Conventional arms control measures have to be developed and agreed on a voluntary basis and have to be in respect with the purposes of the Charter of the United Nations and international humanitarian law. Good governance and the respect of the rule of law will facilitate agreement on them.

Germany supports and actively promotes the adoption of measures for conventional arms control at the global, regional and subregional levels. Their general goal is to strengthen international peace and security, improve relations among States and contribute to the prevention of war. This implies, inter alia, verification regimes that ensure the reliability of the provided action. Conflicts in various regions of the world have shown that more awareness is necessary among States on the potential of conventional arms control measures to contribute to peace and stability. A more and enhanced dialogue on conventional arms control is needed to diffuse tensions in regional conflicts. Agreed principles that can serve as a framework for regional agreements on conventional arms control could help to contribute to this dialogue.

Successful regional and subregional arms control measures around the world contain valuable experience. Efforts to promote these experiences on a global and regional level should be strengthened. The United Nations and its machinery have a key role in this process and should intensify their efforts.

With regard to Europe, the Organization for Security and Cooperation in Europe (OSCE) area is an encouraging example of what regional conventional arms control can contribute to the building of peace and stability on bilateral and regional level. Since the first confidence-building measures were agreed at the Stockholm Conference in the mid-1980s, the successive Vienna documents have been instrumental in the creation of a culture of openness and transparency. In the same spirit and of high value and relevance, the Treaty on Conventional Armed Forces in Europe contributes to mutual trust and understanding as a cornerstone of European security. These documents, along with other documents of the OSCE-acquis, constitute a mutually reinforcing network of security in Europe. Elements of this security-acquis could easily be used by other regions.

Germany will continue to promote regional arms control actively in all appropriate forums as a means to contribute to peace and stability among all Member States of the United Nations.

Greece

[Original: English]
[27 April 2007]

The target set for this year, in the framework of crime policy, was to increase the confiscations of illegally possessed and traded small arms and light weapons, through the elaboration of specialized-targeted action plans, by competent police authorities.

a. Our efforts focus on two issues:

(1) control of the legal trade in arms, throughout all its stages (import, trade, possession, use);

(2) intensification of controls, in cooperation with competent authorities, aiming at tracking and confiscating illegally imported, traded, possessed and used small arms and light weapons.

1. Measures for controlling the legal trade in small arms and light weapons

– The Ministry of Public Order runs an electronic database, which is the National Central Authority for information-sharing and is able to directly receive and forward information on all legally traded and possessed weapons. Such a database is constantly updated to include any changes in possession status.

– All investigated weapons are also entered into this database if they are to be confiscated or used as evidence in criminal proceedings — whether they are lost, stolen, embezzled or tracked — aiming at their identification in case they are tracked down.

This database provides the itinerary of each arm/weapon, from its importation up to its final legal holder (arms records).

Furthermore, this database facilitates a small arms and light weapons information exchange with other authorities in and out of Greece.

- A minimum number of controls have been established for each month in every enterprise that is legally active in arms trade. Control data are cross-checked with data entered in the electronic database kept in our Office.

- The provisions of the applicable Law 2168/1993 and the Ministerial Decisions rendered by its authority are strictly observed. These regulations constitute the major regulatory framework of our country, governing the issues of arms and weapons. This Law has been harmonized with Directive 91/477/EEC and the Schengen Convention. In some cases, this regulatory framework includes even stricter provisions (article 15 of Law 2168/1993 and article 272 of the Criminal Code, as amended by Law 2928/2001).

- Legal trade in small arms and weapons in our country (import — export — trade and transit) requires a special licence by the competent authority, according to the provisions of Law 2168/1993.

- There is excellent cooperation with other investigating authorities of our country (port and customs authorities, Body for the Prosecution of Economic Crimes) as well as with military authorities, while information is shared with the competent authorities of the countries from which arms and weapons are imported or transported to Greece.

2. Measures for controlling the illegal trade in small arms and light weapons

Since bilateral cooperation at the regional and international level is deemed to be indispensable for the prevention and suppression of illegal trade in arms and weapons from one country to another, Greece has entered into transnational agreements of police cooperation with its neighbouring countries and is participating in international, regional and bilateral organizations (Adriatic/Ionian Initiative, Southeast European Cooperative Initiative of the European Police Office/Interpol).

- Vehicles and persons entering our country are checked at the established entrance points.

- Constant controls are carried out in our land and sea borders (in cooperation with port authorities) to prevent illegal imports of weapons by persons who enter Greece illegally.

- Any disclosed cases are thoroughly investigated, to detect and dismantle networks that may be active in the illegal trade in weapons and arms.

- Special measures are taken in areas with intense problems of trading, possession and use of arms, in cooperation with local communities and bodies.

b. At this stage, a procedure is going on concerning the amendment of some provisions of the basic national legislation on arms to the direction of introducing certain new regulations, such as the provision on the recording of persons who act as mediators in arms transactions

(brokers — brokerage) and the determination of specific activities which shall become the subject of control and licensing.

c. In the framework of the representation of Greece in international and regional organizations and initiatives, our Officers have participated in 2006 and are currently participating during this year, in meetings and seminars where small arms and light weapons issues have been and are being discussed.

One of the Officers of the National Police Force is also participating in the meetings of the Working Group of the European Union Council, namely in the Technical Harmonization Committee, in relation to the amendment of Directive 91/477/EEC on the control of acquisition and possession of weapons and its adjustment to the provisions of article 10 of the United Nations Protocol.

d. In terms of marking, one should bear in mind the following:

(1) In Greece there are no companies that produce weapons and arms for commercial use, save for one State company which produces arms for the Ministry of National Defense.

(2) With regard to the determination of the producer country, the Ministry of Public Order, in conjunction with the Ministry of Foreign Affairs, supports the North Atlantic Treaty Organization Standardization Agreement 1059 marking system of the Atlantic Alliance.

1. As for the contact point, this remains as is with no changes.

2. We attach hereto a table with arms/weapons confiscated by the Hellenic Police in 2006, either as items or means of crime commission or tracked as illegally possessed. Such arms/weapons serve as evidence of the legal proceedings and the competent courts shall decide upon their fate, at the hearing of each case, according to article 16 of Law 2168/1993.

The confiscated arms/weapons are 88 automatic rifles, 303 pistols, 114 handguns and 674 shotguns, bringing the total number of small arms and light weapons to 1,179.

Guatemala

[Original: Spanish]
[14 May 2007]

Guatemala's views on this subject can be summed up as follows:

- Establishment of control measures to ensure that arms traded within the region can be traced. These measures should provide for the registration and control of conventional arms from the manufacturer to the final destination. This can be accomplished through appropriate marking of the weapon itself and of accessories, including: identification of the manufacturer, country of origin, serial number, make, model, calibre, type, barrel length and purpose of manufacture;

- Establishment of a unique code for the manufacturer and/or final destination for each country. This code should be known throughout the region, so that control measures can be unified;
- Development of standards requiring arms manufacturers in the region to stamp the weapon's serial number on all of its main components;
- Region-wide commitment to prohibit legal or illegal movements of conventional arms from each country's territory to any country engaged in internal or external armed conflict, as well as the use of such a country's territory, airspace, territorial sea or inland waterways;
- Conclusion of agreements to regulate the quantity of arms to be manufactured, imported or exported by each country of the region and to report to the relevant entity (the corresponding arms control commission) on arms trade flows.

Hungary

[Original: English]
[18 April 2007]

Arms control activities based on the bilateral agreements in 2006

Type of activity	*Date*	*Inspecting State*	*Inspected State*	*Location*
Evaluation visit	28 February to 2 March	Hungary	Serbia and Montenegro	Pancevo
Inspection	3 to 5 April	Ukraine	Hungary	Debrecen
Mock Treaty on Conventional Armed Forces in Europe inspection and evaluation visit	23 to 26 May	Hungary	Ukraine	Vasilkov Zhitomir
Evaluation visit	6 to 8 June	Ukraine	Hungary	Debrecen
Annual assessment meeting with UA	15 June		Hungary	Budapest
Evaluation visit	29 to 31 August	Serbia	Hungary	Tata
Visit to air base and military facility and demonstration of new weapons system	25 to 29 September	31 participating States (based on the bilateral agreement, five observers were invited from Serbia)	Hungary	Kecskemet Debrecen

Inspection	30 October to 1 November	Serbia	Hungary	Tata Varpalota Taborfalva Szolnok
Evaluation visit	8 to 10 November	Hungary	Ukraine	Mukachevo Vinogradov
Inspection	13 to 16 November	Ukraine	Hungary	Tata Hajmasker Varpalota
Inspection	27 to 30 November	Hungary	Serbia	Kragujevac Krusevac Kraljevo Ladjevci Valjevo
Evaluation visit	18 to 20 December	Hungary	Serbia	Novi Sad Sremska Mitrovica Banska Topola

Jamaica

[Original: English]
[3 April 2007]

The Permanent Mission of Jamaica wishes to advise that the Government of Jamaica endorses the requests made in operative paragraphs 2 and 3 of the mentioned resolution.

The Permanent Mission of Jamaica further informs that Jamaica is strongly in favour of a legally binding instrument to regulate the tracing, marking and brokering of small arms and light weapons. Jamaica does not manufacture arms nor is there a significant legal trade in these items.

Faced with the deleterious effects of the use of small arms and light weapons, Jamaica continues to grapple with the consequences and long-term effects of the illicit trafficking of ammunition, small arms and light weapons into the island.

At the regional level, the Government of Jamaica continues to support efforts aimed at creating model legislation for the marking, tracing and brokering of small arms, the transit, transhipment, export and import of arms, ammunition and explosives. This work is sustained within the framework of the Organization of American States, particularly through the Inter-American Convention Against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives and other Related Material.

At the subregional level, the Caribbean Community (CARICOM) subcommittee of Ministers of National Security and Law Enforcement, of which Jamaica is an active member, highlights the focus by CARICOM member States to confront and tackle the issues of transnational organized crime, illicit drug trafficking and illicit arms and ammunition.

The recent (February 2007) Intersessional Meeting of CARICOM Heads of State in Saint Vincent and the Grenadines reiterated the special focus being placed on crime and security issues within the context of the strong interlinkage between the illicit arms and ammunitions and drug trafficking.

Mexico

[Original: Spanish]
[26 April 2007]

Mexico considers that conventional arms control plays a fundamental role in the maintenance of regional, subregional and international peace and security.

While there is currently no standardized mechanism for either conventional arms or weapons of mass destruction, Mexico believes that any agreements developed should at all times be consistent with Article 51 of the Charter of the United Nations, which concerns States' inherent right of legitimate self-defence.

Mexico agrees that confidence-building measures should be based on the principle of security, without prejudice to national security policies, bearing in mind the content of the report of the Disarmament Commission on its first session of 1993.

With respect to transparency in conventional and strategic weapons acquisitions, development and deployment, Mexico observes the relevant measures by providing information annually to the United Nations for inclusion in the United Nations Register of Conventional Arms and to the Organization of American States under the standardized international reporting system on military expenditure. Such reporting helps to strengthen confidence-building measures in the field of conventional arms.

At the bilateral level, Mexico has signed a number of agreements with the United States Department of Defense to establish military personnel exchange programmes as a means of strengthening the ties of friendship and understanding between the armed forces of Mexico and those of the United States.

Nicaragua

[Original: Spanish]
[29 May 2007]

The Republic of Nicaragua, aware of the need to provide the Central American States with a preventive mechanism that promotes principles, guidelines and actions to facilitate cooperation with respect to conventional arms transfers, has advocated and adopted the Code of Conduct of Central American States on the Transfer of Arms, Ammunition, Explosives and Other Related Materiel, which can serve as an important reference for other regions and subregions of the world.

Panama

[Original: Spanish]
[19 April 2007]

The Republic of Panama cooperates at the regional and subregional levels to control international arms transfers, primarily of conventional arms. In addition, the country has adopted the Code of Conduct of Central American States on the Transfer of Arms, Ammunition, Explosives and Other Related Materiel, which establishes, inter alia, confidence-building measures among the States of the region.

Serbia

[Original: English]
[8 May 2007]

Even though it is not a State Party to the Treaty on Conventional Forces in Europe and does not take part in its implementation, Serbia renders an important contribution to conventional arms control at the regional and subregional levels though its active participation in the General Framework Agreement for Peace in Bosnia and Herzegovina (the Dayton-Paris Agreement).

The implementation of the provisions of the Agreement on Subregional Arms Control has proved itself as an effective instrument for achieving a balanced and stable level of defence forces with the lowest quantities of weapons needed for the defence of the Parties as an essential element for establishing peace and security, as well as for confidence-building.

On the basis of the experience acquired in the implementation of the Agreement on Subregional Arms Control so far, as well as in view of the developments that have taken place in the region and beyond, the following principles could serve as a framework for regional arms control agreements both from the political and military point of view:

Political:

1. Equality with regard to sovereignty;
2. Refrain from the threat or use of force;
3. Inviolability of borders;
4. Respect for territorial integrity;
5. Peaceful settlement of disputes;
6. Non-interference in internal affairs;
7. Respect for human rights and freedoms;
8. Equality of rights of all people;
9. Development of cooperation at the regional and subregional levels; and
10. Compliance with obligations under international law.

Military:

1. Exchange of information on conventional arms;

2. Numerical limits on certain types of conventional arms; and

3. Establishment of a joint multinational monitoring body of States Parties in charge of the control of the implementation of agreement goals and provisions.

Considering that the said principles underline the existing Agreement on Subregional Arms Control, it is to be expected that they will be included in all future agreements on subregional arms control. Proceeding from the said Agreement, the armed forces of Serbia carry out unit inspections on a regular and systematic basis and undertake all obligations/compliance and confidence-building measures binding on the States Parties of the Agreement.

Spain

[Original: Spanish]
[23 April 2007]

Proposal by Spain on principles that can serve as a framework for regional agreements on conventional arms control

The ultimate goal of any system of arms control or confidence- and security-building measures should be to prevent conflicts by reducing the dangers of misunderstanding or miscalculation of military activities of other countries; taking steps to impede covert military preparations; reducing the risk of surprise attacks; and reducing the risk of the outbreak of war by accident.

The measures agreed upon may be legally or politically binding, but in any case should meet a series of requirements that can be summed up in the following principles:

- **Specificity.** Measures should be specifically negotiated for each case and each geographical area.

- **Transparency.** This should be based on exchanges of information and the establishment of regular contacts and free-flowing communication.

- **Verifiability.** The measures adopted should include a system for verifying their implementation. This is the only way to maintain confidence in cases of suspected non-compliance.

- **Reciprocity.** Each party's gains in terms of a higher level of confidence in the other parties should be matched by similar gains in the other parties' levels of confidence. Otherwise, measures of this type will be much harder to negotiate.

- **Voluntary nature of negotiations and mandatory nature of compliance.** The parties should feel comfortable with the measures agreed at each stage of the process. In addition, the political will required for the negotiation of measures of this type should be commensurate with the mandatory nature of compliance with these measures.

- **Progressivity.** The measures should be seen as a process in which new and more effective measures are progressively developed as confidence between the parties improves.

- **Complementarity.** Care should be taken at all times to ensure complementarity between the measures adopted at the global (United Nations), regional, subregional and bilateral levels and to avoid the duplication of measures.

Moreover, an arms control regime, in order to be effective, requires:

- A consultative body to monitor the measures' implementation. All the parties should be represented in such a body, which should provide for the reporting of any problems encountered in the practical application of the measures, as well as for the negotiation of new measures or the modification of existing ones. This body should be able to exert enough political pressure to convince the parties of the need for full compliance with the commitments undertaken (the involvement of the most powerful countries in each region is therefore extremely important);

- A suitable system of communications that enables the parties to meet the response deadlines laid down in the various measures and that is flexible enough to ensure the flow of information needed to restore confidence in the event of any disturbances.